

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK**

UNITED STATES OF AMERICA *et al. ex
rel.* DOE,

Plaintiffs,

v.

HORIZON THERAPEUTICS LLC *et al.*,

Defendants.

20 Civ. 3207 (MKV)

ORDER

The United States of America (the “Government”) and the co-plaintiff States, having now declined to intervene pursuant to the False Claims Act, 31 U.S.C. § 3730(b)(4)(B) and analogous state False Claims Acts, with respect to the claims raised in the Complaint filed by the relator in the above-captioned action;

IT IS ORDERED THAT:

1. The Complaint and Amended Complaint shall be unsealed thirty days after entry of this Order; and, in the event that the relator has not moved to dismiss this action, service upon the defendants by the relator is authorized as of that date. If the relator voluntarily dismisses the Amended Complaint pursuant to Rule 41(a)(1) of the Federal Rules of Civil Procedure within this thirty-day period, the relator may seek to modify this Order with the consent of the United States and the States or by motion on notice to the United States and the States.

2. Except for, thirty days after entry of this Order, the Complaint, Amended Complaint, this Order, and the Government's and the States' Notices of Election to Decline Intervention, all other contents of the Court's file in this action shall remain under seal and not be made public or served upon the defendants. The relator will serve upon the defendants this Order and the Notices of Decision only after service of the Amended Complaint.

3. Upon the unsealing of the Complaint and Amended Complaint, the seal shall be lifted as to all matters occurring in this action subsequent to the date of this Order.

4. The parties shall serve all pleadings, motions, and notices of appeal filed in this matter, including supporting memoranda, upon the Government and the States. The Government and the States may order any transcripts of depositions. The Government and the States may seek to intervene with respect to the allegations in the relator's Amended Complaint, for good cause, at any time or seek dismissal of this action.

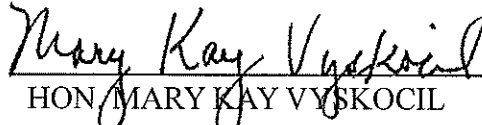
5. All further orders of this Court in this matter shall be sent to the Government and the States by the relator.

6. Should the relator or any defendant propose that this action or any of its allegations be dismissed, settled or otherwise discontinued, or that any defendant be dismissed from the case, the moving party (or parties) must solicit the written consent of the Government and the States (with the exception of the State of Maryland) before applying for Court approval.

7. In accordance with the Maryland False Health Claims Act, Md. Code Ann., Health Gen, § 2-604(a)(7), the State of Maryland having declined to intervene in this matter, all claims asserted on behalf of Maryland are dismissed without prejudice.

Dated: March 22, 2021
New York, New York

SO ORDERED:



HON. MARY KAY VYSKOCIL
United States District Judge